

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOEL F. KOFSKY	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 13-5647
UNUM LIFE INSURANCE COMPANY	:	
OF AMERICA and USI AFFINITY	:	

**ORDER**

**AND NOW**, this 2<sup>nd</sup> day of September, 2014, after consideration of Defendant Unum Life Insurance Company of America's Motion to Dismiss (ECF No. 8) and Defendant USI Insurance Services, LLC's Motion to Dismiss (ECF No. 13), and all papers submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. Defendant Unum Life Insurance Company of America's Motion to Dismiss (ECF No. 8) is **GRANTED** in part and **DENIED** in part. Counts II, III, and V of Plaintiff's complaint are **DISMISSED**.
2. Defendant USI Insurance Services, LLC's Motion to Dismiss (ECF No. 13) is **GRANTED**, and Defendant USI Insurance Services, LLC is **DISMISSED** from this action.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/R. Barclay Surrick  
U.S. District Judge